

## **New Mexico Wool Growers, Inc.**

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NEPA Draft Report Comments

c/o NEPA Task Force

Committee on Resources

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### **RE: Comments on Draft Report of the NEPA Task Force**

The membership of the New Mexico Wool Growers, Inc. (NMWGI), the oldest livestock trade organization in the state, is thankful the U.S. House of Representatives Committee on Resources has taken an interest in the National Environmental Policy Act (NEPA). We appreciate the members of the NEPA Task Force who have devoted so much time, effort and attention to this important issue.

Ample testimony was presented during the hearing process to clearly indicate that immediate change NEPA is necessary. NEPA has been the tool of special interest groups to impose land use planning, or more to the point, not land use. Hopefully, the review of the NEPA Task Force will bring fairness and balance to the Act. We are please to see that many of the recommendations indicate that direction.

NMWGI respectfully submits the following specific comments to the Draft Report.

#### **Group 1 / Recommendation 1.1 DEFINE MAJOR FEDERAL ACTION**

NMWGI strongly supports this recommendation and in fact made this suggestion during the hearing process. Recognizing that NMWGI addresses this issue largely from the scope of grazing issues we submit the following justification. Livestock grazing has been an ongoing activity in New Mexico for more than 400 years, predating the federal land management system. Analyzing grazing as if it were a new “major federal action” makes no sense. Additionally, if federal land management agencies were not binding so many resources, both manpower and funding, to NEPA compliance compounded by the increasing need to make documents “bullet-proof” from appeal and litigation, the environment would receive more care, which we thought was the point of NEPA.

#### **Group 1 / Recommendation 1.2 MANDATORY TIMELINES**

While imposing timelines on the preparation of NEPA documents would provide more certainty to the NEPA process, NMWGI wonders if this recommendation would not provide more fodder for litigation and/or cost to the federal agencies. Either the agencies will require more funding to meet the demands of NEPA, or they will miss the mandated deadlines creating additional opportunity for litigation.

#### **Group 2 / Recommendation 2.1 WEIGHT TO LOCALIZED COMMENTS**

NMWGI strongly supports this recommendation. If the “interested public” were forced to live with the consequences of their desires, they might take more care during the decision making process. The weighting of local comments is only just and fair.

#### **Group 3 / Recommendations 3.1 & 3.2**

NMWGI strongly supports both of these recommendations.

**Group 4 / Recommendation 4.1 CITIZEN'S LAWSUIT PROVISION**

As pointed out in testimony during the Task Force hearing process, NMWGI is not a litigious group by nature, and as such is somewhat skeptical of any "citizen's lawsuit provision." However, the sideboards placed on this recommendation are at the very least intriguing and NMWGI would support proceeding with this provision with these provisions and perhaps others. NMWGI would suggest that a bonding requirement also be placed as a part of a citizen's lawsuit.

**Group 5 / Recommendation 5.2 NO ACTION ALTERNATIVE**

While NMWGI concurs with the notion that extensive discussion of the "no action alternative" needs to take place, there is an issue that must be resolved prior to that directions. The "no action alternative" has long been a bone of contention between NMWGI and federal land management agencies. NMWGI believes that the "no action" means no change from current management. After literally years of debate the Bureau of Land Management (BLM) has adopted that definition. The U.S. Forest Service (USFS), however, has refused to consider anything but their definition of "no action" which is that nothing occurs --- the removal of the action.

NMWGI respectfully requests that Congress define the "no action alternative" and that the definition be no change from current management. Then a full and detailed discussion can take place on the impacts, positive and negative, can take place.

**Group 8 / Recommendation 8.1 CUMULATIVE IMPACTS**

Not only should cumulative impacts, past and future, address environmental conditions, but they should also involve the social and economic conditions as well. While NEPA currently addresses these issues, the agencies have regularly ignored them or used baselines and information that are not from the affected areas and are therefore not valid.

Once again, thank you for the time and effort on this issue so vital to the future of the rural West and other areas. NMWGI looks forward to continued participation as meaningful changes are made to NEPA.

Sincerely,

Mike Corn  
President